

enclosure." For the reasons set forth below, Applicant believes the rejections have been overcome and that the Application is in condition for allowance.

First, as demonstrated by the Rule 131 Declaration submitted herewith, Engler is not prior art to the Claimed inventions. As the Inventor's testimony and evidence demonstrate, the Applicant invented the claimed invention prior to the filing date of Engler. As such, Engler cannot form the basis of a rejection of the application. 37 C.F.R. § 1.131(b); 35 U.S.C. §§ 102 and 103. Because Engler is the only reference cited by the Examiner supporting the rejection of the claims, and because Engler has been shown to be not an applicable prior art reference, Applicant believes the rejections based on Engler have been overcome.

Further, Applicant respectfully traverses the indefiniteness rejection of Claim 10. Claim 10 depends from Claim 1. As recited in Claim 1, the data transmitter is within the enclosure and extends outside the enclosure. As discussed within the specification, the "data transmitter" may comprise two connectors at opposite ends of a cable or other data cord or transmission device for electronic transmission of data. Known connectors include USB connectors, serial cables, etc. As recited in Claim 10, as amended, the data transmitter may reside in the enclosure, while some functional portion of it extends to a point outside the enclosure. Thus, if the data transmitter comprises an infrared transmission device, the connector for connection with the data storage device within the enclosure may exist within the enclosure, while the infrared emitter and receptor would extend to a location external to the enclosure for data exchange. Thus, the data transmitter may exist within the enclosure, and also extend to outside of said enclosure. As such, Applicant respectfully believes that Claim 10, as now amended, is not indefinite.

Lastly, Claim 1 has been amended for purposes of clarification only, and not for purposes of patentability.

Conclusion

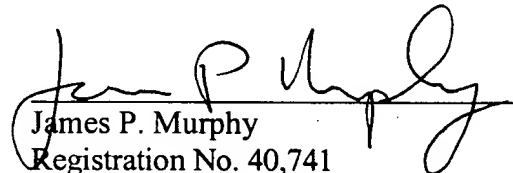
For all the foregoing reasons, Applicant believes Claims 1-21 are in condition for allowance. Applicant respectfully requests that the Examiner issue a Notice of Allowance of Claims 1-21.

Please charge any additional fees or credit any overpayment that may be incurred by the Applicant to Deposit Account No. 13-0017 (McAndrews, Held & Malloy, Ltd.).

Respectfully submitted,

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